

REMARKS

The present amendment is in response to the Final Office action dated July 5, 2006, where the Examiner has rejected claims 1 - 19 and allowed claims 20 - 21. After consideration of the Examiner's rejections, Applicant cancels claims 1-19 and adds new claims 22-30. Allowed independent claim 20 is minimally amended to correct antecedent basis errors, only. The pending claims 20-30 include three (3) independent claims 20, 22 and 26.

Allowance of pending claims 20-30 in view of the following remarks is respectfully requested.

A. Allowed Claims

The Examiner has allowed claims 20 and 21. Applicant has made minor amendments to claim 20 to correct antecedent basis errors, only, and respectfully requests a notice of allowance for at least claims 20 and 21.

B. Rejections under 35 USC §103(a)

In the Final Office Action, claims 1 - 19 have been rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,959,192 ("Cannon") in view of U.S. Publication No. 2004/0229644 ("Heie").

After consideration of the Examiner's rejections, Applicant presents new claim sets 22-25 and 26-30. Applicant asserts that these claims are patentable over the cited art since the cited art does not teach or suggest all of the elements of the independent claims 22 and 26. Specifically, claim 22 comprises, inter alia, the steps of a run time engine executing either a first set of runtime instructions or a second set of runtime instructions stored in the wireless communication device if the extracted at least one operation code is a new area code operation code or a new area code table operation code, respectfully. Heie and Cannon do not teach or suggest the claimed steps of a runtime engine receiving an operation code from a network server that corresponds to a

first or a second set of runtime instructions pre-stored in the wireless device, and updating area code information accordingly. Similarly, new independent claim 26 claims, among other things, a structure of the wireless communication device that is not taught or suggested by the cited references. For example, Heie and Cannon do not teach or suggest a runtime instruction library comprising a first and a second set of instructions corresponding to an area code operation code and an area code table operation code, respectively.

The Applicant disagrees with the Examiner's rejection of original dependent claim 4 on page 5 of the Final Office Action (which corresponds to now pending dependent claims 23 and 27). The cited references do not teach the step/apparatus of the wireless device receiving a communication of the update instruction from the server and sending back a communication to verify that the instruction is valid, and finally receiving another communication from the network server that the update instruction is valid before executing the first or second set of runtime instructions.

Since the cited references do not teach or suggest the inventions of independent claims 22 and 26 and the claims dependent thereupon, Applicant respectfully requests that the Examiner issue a notice of allowance for the independent claims and the claims dependent thereupon.

C. Conclusion

In view of the above assertions, Applicant respectfully requests that the Examiner issue a notice of allowance for claims 22-30 as well as for the allowed claims 20-21.

The fees for an RCE is filed herewith by EFS. If necessary, applicant requests under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application and to charge the fees for a large entity under 37 CFR 1.17(a). The Director is authorized to charge any additional fee(s) or any underpayment of fee(s) or credit any overpayment(s) to Deposit Account No. 50-3001 of Kyocera Wireless Corp.

Applicant requests that the Examiner telephone the attorney for Applicant at the telephone number listed below should the Examiner believe that prosecution of this application might be expedited by further discussion of the issues.

Respectfully submitted,

Dated: October 5, 2006

By: 

Kathleen W. Connell
Attorney for Applicant
Registration No. 45,344

KYOCERA WIRELESS CORP.
10300 Campus Point Drive
San Diego, California 92121
Telephone: (858) 882-2169
Facsimile: (619) 882-2485
Attorney Docket No.: UTL 00246